

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 24-1693

WBI Energy Transmission, Inc.

Plaintiff - Appellant

v.

189.9 rods, more or less, located in Township 149 North, Range 98 W Section 11: W1/2SE1/4 Section 14: NW1/4NE1/4 McKenzie County, North Dakota, An easement and right-of-way across; 227.8 rods, more or less, located in Township 149 North, Range 98 W Section 11: N1/2SW1/4, W1/2SE1/4, McKenzie County, North Dakota, An easement and right-of-way across; 242.0 rods, more or less, located in Township 149 North, Range 98 W Section 2: SW1/4SE1/4 Section 11: NE1/4, McKenzie County, North Dakota, An easement and right-of-way across; 335.3 rods, more or less, located in Township 150 North, Range 98 W Section 35: W1/2E1/2 McKenzie County, North Dakota, An easement and right-of-way across; 223.8 rods, more or less, located in Township 149 North, Range 98 W Section 28: S1/2N1/2, McKenzie County, North Dakota, An easement and right-of-way across; 83.6 rods, more or less, located in Township 149 North, Range 98 W Section 14: NW1/4, McKenzie County, North Dakota, An easement and right-of-way across; Leonard W. Hoffmann, Trustee of the Hoffmann Living Trust dated March 8, 2002; David L. Hoffmann; Denae M. Hoffmann; Margaret A. Hoffmann, Trustee of the Hoffmann Living Trust dated March 8, 2002; Rocky & Jonilla Farms, LLP; Randall D. Stevenson; All other Unknown Owners, of the above lands

Defendants - Appellees

Appeal from U.S. District Court for the District of North Dakota - Western
(1:18-cv-00078-DLH)

JUDGMENT

Before SHEPHERD, KELLY, and STRAS, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the attorney-fee award is vacated in accordance with the opinion of this court.

March 24, 2025

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Susan E. Bindler